

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

STONINGTON PARTNERS, INC., a Delaware Corporation, STONINGTON CAPITAL APPRECIATION 1994 FUND L.P., a Delaware Partnership and STONINGTON HOLDINGS, L.L.C., a Delaware limited liability company,

Plaintiffs,

Civil Action No.: 04-10411 (PBS)

v.

DEXIA, S.A. and DEXIA BANK BELGIUM (formerly known as ARTESIA BANKING CORP., SA),

Defendants.

GARY B. FILLER and LAWRENCE PERLMAN, Trustees of the TRA Rights Trust,

Plaintiffs,

Civil Action No.: 04-10477 (PBS)

v.

DEXIA, S.A. and DEXIA BANK BELGIUM (formerly known as ARTESIA BANKING CORP., SA),

Defendants.

JANET BAKER and JAMES BAKER, JKBAKER LLC and JMBAKER LLC,

Plaintiffs,

Civil Action No.: 04-10501 (PBS)

v.

DEXIA, S.A. and DEXIA BANK BELGIUM (formerly known as ARTESIA BANKING CORP., SA),

Defendants.

**DEFENDANT'S RESPONSE TO PLAINTIFFS'  
REQUEST TO ENTER DEFAULT**

**TO THE CLERK OF THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

Defendant Dexia Bank Belgium ("Dexia") hereby responds to the Requests to Enter Default filed by plaintiffs ("Transactional Plaintiffs") in the above-captioned actions as follows:

1. As the ECF system reflects, Dexia has filed Motions for Extension of Time to December 1, 2006 to File Answers simultaneously with Transactional Plaintiffs' Requests for Notice of Default;
2. Dexia has been communicating with Transactional Plaintiffs since November 1, 2006 in an attempt to negotiate a reasonable extension for answering their Amended Complaints. Immediately after the parties failed to reach agreement, and with knowledge that Dexia would be seeking an extension from the Court, Transactional Plaintiffs filed their Requests for Notice of Default;
3. Dexia requests that this Response, and the above-described motions, be considered together with Transactional Plaintiffs' Requests to Enter Default;

WHEREFORE, Dexia respectfully requests that the Clerk of Court deny the Requests to Enter Default so that the Court can properly consider Dexia's motions for extension of time to answer.

Dated: November 9, 2006

Respectfully submitted,

MINTZ LEVIN COHN FERRIS  
GLOVSKY & POPEO

By: /s/ Breton Leone-Quick  
Peter M. Saparoff, Esq. (BBO#441740)  
Breton Leone-Quick, Esq. (BBO#655571)  
Eoin Beirne, Esq. (BBO# 660885)

One Financial Center  
Boston, MA 02111  
Tel: (617) 542-6000  
Fax: (617) 542-2241

James B. Weidner, Esq.  
Thomas Teige Carroll, Esq.

CLIFFORD CHANCE US LLP  
31 West 52nd Street  
New York, NY 10019-6131  
Tel: (212) 878-8000  
Fax: (212) 878-8375

*Counsel for Dexia Bank Belgium*

**CERTIFICATE OF SERVICE**

I, Breton Leone-Quick, hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non registered participants on November 9, 2006.

/s/ Breton Leone-Quick

Dated: November 9, 2006